

# Notice of Allowability

Application No.

10/706,548

Examiner

Michael Butler

Applicant(s)

SPANO ET AL.

Art Unit

3653

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to 5/2/2005.
2. ☐ The allowed claim(s) is/are 1,10 and 11.
3. ☒ The drawings filed on 11/12/2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1 and 10-11 are allowed.
2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
3. The following is an examiner's statement of reasons for allowance: The prior art does not disclose: an apparatus featuring an apparatus in a dispensing apparatus featuring a display that indicates the variety of items to be located which are on the particular shelf.

Of particular interest is Murphree which discloses a dispensing cabinet having a shelf level display identifying a quantity of items from a list at the shelf. Murphree neither discloses nor obviates, alone or in combination with other combinable art, a dispensing cabinet with a display that displays the number of different varieties of items from the list at the shelf.

Of further interest is Ishawa et al. which discloses a dispensing cabinet having shelf and drawer level displays identifying a quantity of items from a list at the site, Ishawa et al. neither discloses nor obviates, alone or in combination with other combinable art, a dispensing cabinet with a display that displays the number of different varieties of items from the list at the shelf.

Of further interest is Higham et al. which discloses a method, comprising: entering user information into a processor controlling a dispensing cabinet, said processor unlocking certain doors of the dispensing cabinet in response to said user information; choosing a locate mode, identifying an item to be located; flashing a display positioned on a shelf within the cabinet with

Art Unit: 3653

the number of items held by that shelf which are to be located; logging off; and locking the unlocked doors Higham et al. neither disclose nor obviates, alone or in combination with other combinable art a dispensing cabinet with a display that displays the number of different varieties of items from the list at the shelf.

Art Unit: 3653

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exmr. Michael E. Butler whose telephone number is (703) 308-8344.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh, can be reached on (703) 306-4173. The fax number for the Group is (703) 305-7687.

*Michael E. Butler*

Michael E. Butler .

Examiner

  
DONALD B. WALSH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

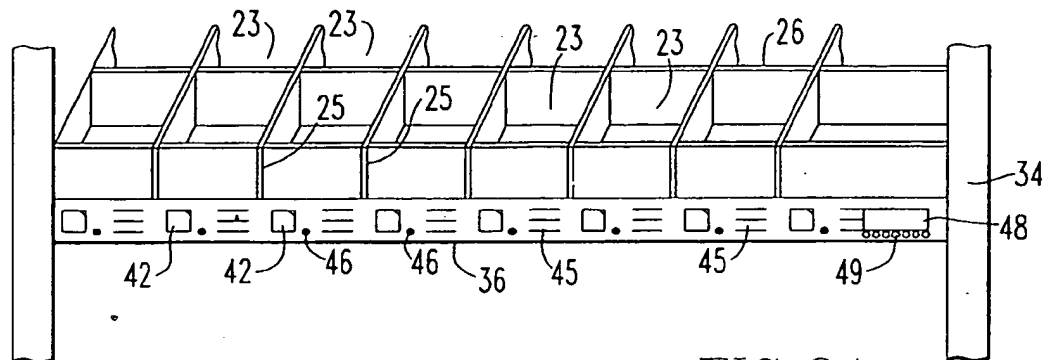


FIG. 2A

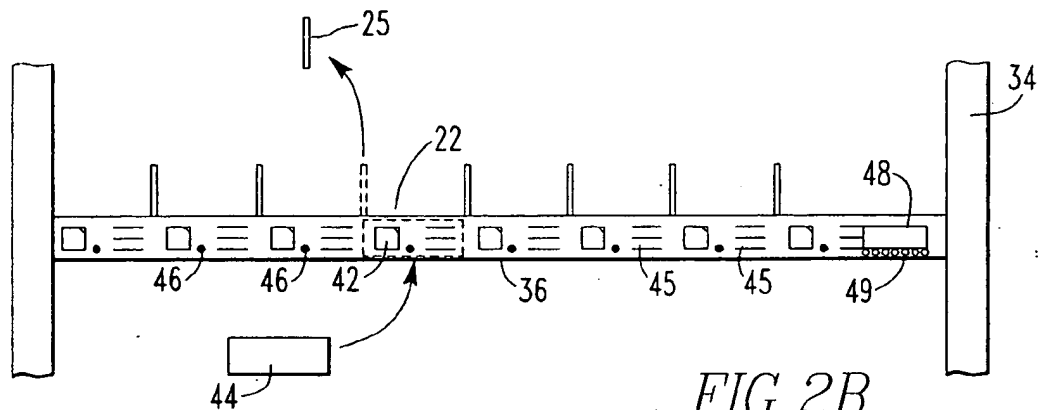


FIG. 2B

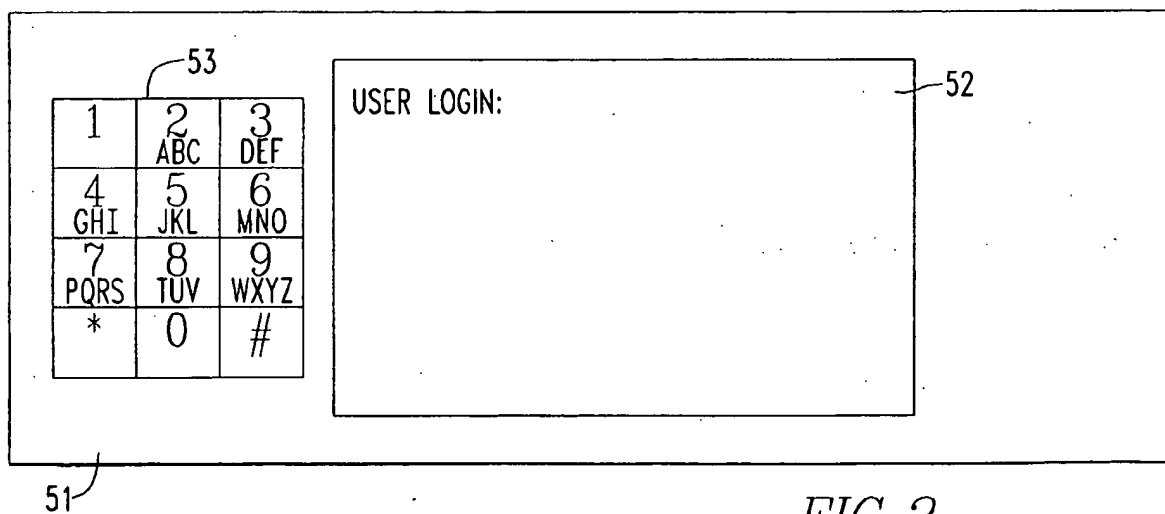


FIG. 3